

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

AGENDA – THIRTY-THIRD MEETING

THURSDAY, MARCH 4, 2021
4:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Eighteenth Proclamation issued by Governor David Ige on February 12, 2021, relating to the COVID-19 pandemic (Proclamation), in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting. *The procedures have been modified to comply with Mayor Blangiardi's Emergency Order No. 2021-02, effective February 25, 2021 (Emergency Order). In accordance with concern for public health and safety, in-person testimony in the hearings room has been cancelled until further notice. Please see the instructions below on how to submit oral testimony on any scheduled matter or how to make your appearance on a scheduled matter.*

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

No members of the public will be allowed into the hearings room, but may listen to the meeting on a live broadcast. The meeting may be heard by internet live streaming through <https://zoom.us/j/99137694590>; by dialing 1-408-638-0968, entering the meeting ID#: 991 3769 4590#; or, the preferred method, via the Liquor Commission website event calendar at <http://www.honolulu.gov/liq/event-calendar/>. You may pre-register to attend this meeting.

All Commissioners will be participating in the meeting by interactive conference technology from remote locations.

To provide the public with the best opportunity to observe the meeting, it is required to "mute" your device's microphone to prevent technological difficulties.

All persons who are required to appear for the meeting must make your appearance by joining the meeting on the Zoom platform as described above. Please be aware that joining the meeting will involve entering the meeting number and completing a registration process so please allow sufficient time for this task. For testifiers or required attendees who are not able to access the Zoom platform, an equipment and internet access station will be available for use in Suite 111. While in Suite 111, all Social Distancing Requirements set forth in the Proclamation and the Emergency Order must be strictly observed.

Within forty (40) days after the meeting, the minutes will be posted to the Liquor Commission website at <http://www.honolulu.gov/liq/event-calendar/> for viewing. The minutes of prior meetings may also be viewed at said website.

ORAL TESTIMONY

Oral testimony will be permitted on all matters before the Commission subject to the following restrictions:

1. *All oral testimony must be submitted remotely through the Zoom platform.*
2. Each speaker is limited to a three-minute presentation.

WRITTEN TESTIMONY

Written testimony is strongly encouraged and may be submitted to the Administrator of the Commission three (3) working days prior to the date of the meeting as follows: FAX (808) 768-7311 or E-MAIL liquor@honolulu.gov. Written testimony will not be accepted in person at the meeting.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet") will be available for viewing electronically, as soon as practicable, at the Liquor Commission website (<http://www.honolulu.gov/liq/event-calendar/>).

PUBLIC HEARINGS:

1. Trans. Appl. No. 21-22114 from West Side Assoc LLC, dba West Side Bar & Grill Kapolei

For the transfer of the business and Restaurant General license (Category No. 2 - Live entertainment or Recorded Music and Dancing) of Plantation Tavern LLC, dba Plantation Tavern, 590 Farrington Highway, #A-2, Kapolei, and for a change of trade name to West Side Bar & Grill Kapolei (R1055) (Prelim. Hrg. 2/11/21)
2. Appl. No. 20-21461 from Masao Properties Incorporated, dba Beer Lab HI, 4210 Waialae Avenue

For a Small Craft Producer Pub license (Category No. 2 - Live entertainment or Recorded Music and Dancing) (Prelim. Hrg. 10/29/20)

(Continued from 2/4/21; public hearing kept open)

[History: 12/17/20, 1/7/21, 1/21/21, 2/4/21]
3. Appl. No. 21-22196 from Alejandro's Mexican Food LLC, dba Alejandro's Mexican Food, 949 Kapahulu Avenue

For a Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing) (Prelim. Hrg. 1/7/21)
4. Appl. No. 21-22542 from Koolaupoko Partners LLC, dba Heeia Pier-The General Store, 46-499 Kamehameha Highway, Kaneohe (Heeia Kea Small Boat Harbor)

For a Retail General license (Prelim. Hrg. 1/7/21)

PRELIMINARY HEARINGS:

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| 5. | Trans. Appl. No. 20-21487 from Sushi King LLC, dba Sushi King LLC | For the transfer of the business and Restaurant General license (Category No. 1 – Standard Bar) of Shu-Lee F. Kondo, dba Sushi King, 2700 South King Street, and for a change of trade name to Sushi King LLC (R0131) |
| 6. | Trans. Appl. No. 21-22715 from Pho Vietnam Inc., dba Pho Vietnam Inc. | For the transfer of the business and Restaurant General license (Category No. 1 – Standard Bar) of DS Restaurant Group LLC, dba Charm 3, 52 North Hotel Street, Suites 113/114, and for a change of trade name to Pho Vietnam Inc. (R1160)

(License currently in safekeeping) |
| 7. | Appl. No. 21-21997 from Chinatown Coven LLC, dba Proof Social Club, 1154 Fort Street Mall, Suite 10 | For a Dispenser General license (Category No. 3 – Live Entertainment or Recorded Music and Dancing) |
| 8. | Appl. No. 21-22149 from Wayward Somm LLC, dba The Sommelier's Box, 841 Bishop Street, Unit 121 | For a Retail General license |

REQUESTS:

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| 9. | Request No. 21-22838 from Murphy's Inc., dba Murphy's Bar & Grill, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 2 Merchant Street (R0887) | Requesting approval to temporarily increase its licensed premises from Monday, March 15, 2021 through Tuesday, November 30, 2021, from 6:00 a.m. to 11:59 p.m. (daily) |
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REQUESTS: (CONT.)

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| 10. Request No. 21-22854 from Ferguson's Irish Pub LLC, dba Ferguson's Irish Pub, Dispenser General license (Category No. 1 – Standard Bar) 729 Bishop Street (E0120) | Requesting approval to temporarily increase its licensed premises from Monday, March 15, 2021 through Monday, March 14, 2022, from 11:00 a.m. to 12:00 a.m. (midnight) (daily) |
| 11. Request No. 21-22856 from PJ Honolulu, LLC, dba Tonkatsu Ginza Bairin, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 255 Beachwalk, Unit 1 (R0832) | Requesting approval to temporarily increase its licensed premises from Thursday, March 4, 2021 through Saturday, July 31, 2021, from 11:00 a.m. to 10:00 p.m. (daily) |
| 12. Request No. 21-22861 from Windward Grill, Inc., dba Kailua Town Pub and Grill, Dispenser General license (Category No. 3 – Live Entertainment or Recorded Music and Dancing), 26 Hoolai Street, Kailua (E1497) | Requesting approval to temporarily increase its licensed premises on Wednesday, March 17, 2021, from 4:00 p.m. to 10:00 p.m.

(St. Patrick's Day Event) |

ADOPTION OF DECISION AND ORDER:

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| 13. Chicken Factory (LCV 19-0410) (R1171) | For adoption of Decision and Order |
| 14. Chicken Factory (LCV 20-0303) (R1171) | do. |
| 15. TJ's Sports Bar & Grill (LCV 20-0268) (R0612) | do. |

ADJUDICATION HEARINGS:

16. Kailua Town Pub and Grill
(LCV 20-0263)
(E1497)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-29 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 31, 2020)

17. Takumi
(LCV 20-0270)
(R1142)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-29 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about November 18, 2020)

(Continued from February 11, 2021)

18. The Bayview Bar Bistro
Banquet Hall
(LCV 20-0315)
(E1594)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-30 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about December 17, 2020)

ADJUDICATION HEARINGS: (CONT.)

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| 19. Hawaii Kai Golf Course
(LCV 21-0048)
(E0552) | Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-30 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about December 15, 2020) |
| 20. Pot Pot Shabu Ramen
& BBQ House
(LCV 20-0253)
(R0713) | <div style="display: flex; flex-direction: column; gap: 10px;"><div style="display: flex; align-items: flex-start;"><div style="margin-right: 10px;">(1)</div><div>Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violation of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-27 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 9, 2020)</div></div><div style="display: flex; align-items: flex-start;"><div style="margin-right: 10px;">(2)</div><div>Licensee used a trade name without the prior approval of the Commission (Violation of Rule 3-81-17.59) (Date of violation: On or about October 22, 2020)</div></div><div style="display: flex; align-items: flex-start;"><div style="margin-right: 10px;">(3)</div><div>Licensee failed to have a duly registered manager or assistant manager in active charge of the licensed premises (Violation of Rule 3-82-38.9(a)) (Date of violation: On or about October 22, 2020)</div></div></div> |

ADJUDICATION HEARINGS: (CONT.)

Pot Pot Shabu Ramen
& BBQ House
(LCV 20-0253)
(R0713)
(Cont.)

(4) Licensee failed to conspicuously post and expose to view, convenient for inspection, its license on the licensed premises (Violation of Section 281-71, HRS) (Date of violation: On or about October 22, 2020)

(Continued from February 4, 2021)

21. Lucky Honu
(LCV 20-0014)
(E0694)

Licensee permitted liquor of any kind, while in bottle, glass or other container, to be open and readily consumable within licensed premises before or after the hours established by the Commission (Violation of Rule 3-82-38.20(b)) (Date of violation: On or about January 9, 2020)

22. Lucky Honu
(LCV 20-0246)
(E0694)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-27 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 11, 2020)

ADJUDICATION HEARINGS: (CONT.)

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| 23. Lucky Honu
(LCV 20-0264)
(E0694) | (1) Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-29 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about November 7, 2020) |
| | (2) Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about November 7, 2020) |
| 24. Club 939
(LCV 19-0347)
(E0270) | Licensee encouraged and/or permitted a person on the licensed premises to touch, caress or fondle the breasts, buttocks, anus or genitalia of herself or any other person, either directly or through the clothing or any other material (Violation of Rule 3-84-78.042) (Date of violation: On or about October 6, 2019) |
| 25. Club 939
(LCV 19-0389)
(E0270) | (1) Licensee permitted and/or allowed employee(s) and/or customer(s) to engage in "lap dancing" within the licensed premises (Violation of Rule 3-82-47.1(c)) (Date of Violation: On or about October 6, 2019) |

ADJUDICATION HEARINGS: (CONT.)

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| Club 939
(LCV 19-0389)
(E0270)
(Cont.) | (2) Licensee's employee, who was not employed as an exotic dancer, was unclothed or in such attire, costume or clothing as to expose to view any portion of the pubic hair, anus, cleft of the buttocks, genitalia, or any portion of the female breast below the top of the areola (Violation of Rule 3-84-78.02(a)) (Date of violation: On or about October 6, 2019) |
| 26. Club 939
(LCV 20-0096)
(E0270) | (1) Licensee employed a person in that section of the licensed premises where liquor is sold, served or consumed without said employee being properly registered with the Commission (Violation of Rule 3-82-38.5(a)) (Date of violation: On or about February 9, 2020) |
| | (2) Licensee permitted an employee to perform as a dancer in that section of the licensed premises where liquor is sold, served or consumed without said dancer being at least twenty-one (21) years of age (Violation of Rule 3-82-38.6(b)) (Date of violation: On or about February 9, 2020) |
| | (3) Licensee failed to make time record entries at the time its employee reported on duty and again when the employee went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about February 9, 2020) |

ADJUDICATION HEARINGS: (CONT.)

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| Club 939
(LCV 20-0096)
(E0270)
(Cont.) | (4) Licensee failed to make time record entries at the time its employees reported on duty and/or when the employees went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about February 11, 2020) |
| 27. Club 939
(LCV 20-0251)
(E0270) | (5) Licensee allowed the obstruction, hampering, or interfering with investigations or Commission operations in any way (Violation of Rule 3-84-79.1) (Date of violation: On or about February 20, 2020) |
| | Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-27 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 14, 2020) |

ADJUDICATION HEARINGS: (CONT.)

28. Kingyo Karaoke Lounge
(LCV 20-0240)
(E0561)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-27 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 10, 2020)

(Continued from January 14, 2021)

OTHER BUSINESS:

29. Liquor Administrator

30. Liquor Administrator

Legislative update

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to liquor@honolulu.gov, at least five (5) business days prior to the meeting.